

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38377 of 2016

Arising Out of PS.Case No. -102 Year- 2016 Thana -MOJAHIDPUR District- BHAGALPUR

Sourabh Kumar Son of Sitaram Verma Resident of Sikandarpur, Badoolal Lane, Police Station- Mojhahidpur, District Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. P.K.Sahi, Sr. Adv.
Mr. Manoj Kr. Jha, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 19-09-2016 Heard Sri P.K.Sahi, learned senior counsel, who was assisted by Sri Manoj Kumar Jha, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Mojahidpur P.S. Case No. 102 of 2016 registered for offence under Sections 448, 341, 323, 307, 504, 506/34 of the Indian Penal Code, has prayed for grant of bail in the event of arrest or surrender.

It was submitted by learned senior counsel for the petitioner that save and except Section 307 of the Indian Penal code, which has been incorporated in the F.I.R. even without any element of such application, all other sections are bailable in nature. He further submits that petitioner and informant are both

neighbours and in a trivial dispute, such occurrence has taken place and exaggerated story has been given by the informant. Learned senior counsel, by way of referring to Annexure – 2 to the petition i.e. copy of injury report, submits that injury report suggests that injury was found to be simple in nature.

Keeping in view the nature of accusation, particularly the fact that save and except Section 307 of the Indian Penal Code, all other sections are bailable, the Court is of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Sourabh Kumar be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhagalpur in connection with Mojahidpur P.S. Case No. 102 of 2016, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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